

FILED BY  D.C.

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

05 MAY 17 PM 1:14

ROBERT J. TRULLIO
CLERK, U.S. DIST. CT.
W. D. OF TN, MEMPHIS

CRISPER STANFORD

Plaintiff,

v.

CAESARS ENTERTAINMENT, INC. and
SHERATON TUNICA CORPORATION

Defendant.

No.: 05-2298-MIV

JOINT SCHEDULING ORDER

COME NOW Plaintiff, Crisper Stanford ("Plaintiff"), and Defendants Caesars Entertainment, Inc. and Sheraton Tunica Corporation (hereinafter, "Defendants"), and pursuant to Rule 26(f) of the Federal Rules of Civil Procedure and the May 4, 2005 Notice of Setting of this Court, submit this Joint Scheduling Report. The categories below correspond to those set forth in Rule 26(f):

A. DISCOVERY PLAN

1. Plaintiff's Discovery:

In addition to the initial disclosures required by the Federal Rules, Plaintiff intends to serve Defendants with requests for the production of documents, interrogatories, and requests for admissions. Plaintiff will depose Defendants' agents and employees and third parties with knowledge of relevant facts, including expert witnesses. Plaintiff will need discovery of facts relevant to Defendants' defenses to Plaintiff's claims against Defendants. Plaintiff reserves the right to undertake additional or different discovery should the need arise for the same. The parties agree that all fact discovery commenced in time should be completed by December 30,

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2005. Depositions of experts should be completed by May 1, 2006.

2. Defendants' Discovery:

In addition to the initial disclosures required by the Federal Rules, Defendants intend to serve Plaintiff with requests for the production of documents, interrogatories, and requests for admissions. Defendants also will notice the deposition of Plaintiff and his agents and issue subpoenas to third parties with knowledge of relevant facts, including expert witnesses. Defendants will need discovery of facts relevant to Plaintiff's claims against Defendants, including alleged violations of the Tennessee Personal Rights Protection Act, invasion of privacy and/or publicity, false endorsement, violation of the Tennessee Consumer Protection Act and civil conspiracy as well as discovery regarding copyrights in the advertisements and works at issue. Defendants reserve the right to undertake additional or different discovery should the need arise for the same. The parties agree that all fact discovery commenced in time should be completed by December 30, 2005. Depositions of experts should be completed by May 1, 2006.

B. VARIANCE FROM DISCOVERY LIMITATIONS

None at this time.

C. LIKELIHOOD OF SETTLEMENT

The parties have discussed settlement. Although the parties intend to continue settlement discussions, the possibility of settlement at this time is not likely.

D. LIKELIHOOD OF APPEARANCE OF ADDITIONAL PARTIES

The parties are not aware at this time of additional parties that are likely to appear in this case. The deadline for both Plaintiff and Defendants to add parties is June 27, 2005.

E. PROPOSED DEADLINES

3. The parties agree that this case should proceed on a standard track.
4. The agreed deadlines are set forth in Attachment A.

F. NECESSITY OF AMENDMENTS TO PLEADINGS

The parties do not presently anticipate the need to amend the pleadings in this case. The deadline for the parties to amend the pleadings is August 1, 2005.

G. COOPERATION ON THE EVIDENTIARY ISSUES

The parties agree to cooperate on evidentiary issues, to stipulate to the admissibility of evidence, to limit the need for any advance rulings from the Court on questions of admissibility of evidence, and to seek such advance rulings when necessary to avoid any undue delay at trial.

H. SUGGESTIONS FOR AVOIDANCE OF UNNECESSARY PROOF AND CUMULATIVE EVIDENCE

The parties agree to cooperate to avoid unnecessary proof and cumulative evidence.

I. NEED FOR REFERRAL TO A MAGISTRATE

The parties agree that only discovery matters that are not case-dispositive may be referred to the Magistrate.

J. TRIAL BY JURY

This case should be ready for trial on or after July, 2006, is expected to take approximately two (2) weeks, and will be a jury trial.

K. PROPOSED DATE FOR FINAL PRETRIAL CONFERENCE

The parties request a final pre-trial conference in June, 2006.

L. INITIAL DISCLOSURES

The parties have agreed to serve the disclosures required by Fed. R. of Civ. Pro. 26(a)(1) on or before May 30, 2005. The parties do not propose any changes to the form or requirements for disclosures under Fed. R. Civ. Pro. 26(a)(1).

M. OTHER PROPOSED ORDERS TO BE ENTERED BY THE COURT UNDER RULE 26(C) OR RULE 26(B)-(C).

None at this time.

N. OTHER RELEVANT MATTERS:

No depositions may be scheduled to occur after the discovery cutoff date. All motions, requests for admissions, or other filings that require a response must be filed sufficiently in advance of the discovery cutoff date to enable opposing counsel to respond by the time permitted by the Rules prior to that date.

Motions to compel discovery are to be filed and served by the discovery deadline or within 30 days of the default or the service of the response, answer, or objection, which is the subject of the motion, if the default occurs within 30 days of the discovery deadline, unless the time for filing of such motion is extended for good cause shown, or the objection to the default, response, answer, or objection shall be waived.

This case is set for jury trial, and the trial is expected to last two (2) weeks. The pretrial order date, pretrial conference date, and trial date will be set by the presiding judge.

The parties are reminded that pursuant to Local Rule 11(a) (1) (A), all motions, except motions pursuant to Fed. R. Civ. P. 12, 56, 59, and 60 shall be accompanied by a proposed order.

The opposing party may file a response to any motion filed in this matter. Neither party may file an additional reply, however, without leave of the court. If a party believes that a reply is necessary, it shall file a motion for leave to file a reply accompanied by a memorandum setting forth the reasons for which a reply is required.

The parties do not consent to trial before the Magistrate Judge.

This order has been entered after consultation with trial counsel pursuant to notice. Absent good cause show, the scheduling dates set by this order will not be modified or extended.

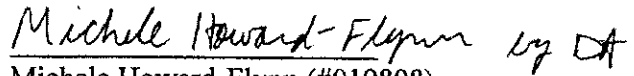
IT IS SO ORDERED.

Diane K. Vesco
DIANE K. VESCOVO
UNITED STATES MAGISTRATE JUDGE

DATE: *May 17, 2005*

Date: May 16th, 2005

Respectfully submitted,

 by DA

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ATTACHMENT A

<u>DATE</u>	<u>DEADLINE</u>
May 19, 2005	Rule 16(b) Conference
May 30, 2005	Deadline for Parties to Serve Rule 26 Disclosures
June 27, 2005	Deadline for Parties to Add Parties
August 1, 2005	Deadline for Parties to Amend Pleadings
September 1, 2005	Deadline for Initial Motions to Dismiss
September 30, 2005	Deadline for responding to written discovery (interrogatories, requests for production of documents, and requests for admissions), excluding expert disclosures
December 30, 2005	Close of Fact Discovery
January 31, 2006	Deadline for Disclosure of Plaintiff's Rule 26 Expert
March 1, 2006	Deadline for Disclosure of Defendants' Rule 26 Expert
May 1, 2006	Deadline for Depositions of Experts
June 1, 2006	Deadline for Parties to File Dispositive Motions
August, 2006	Trial



Notice of Distribution

This notice confirms a copy of the document docketed as number 10 in case 2:05-CV-02298 was distributed by fax, mail, or direct printing on May 24, 2005 to the parties listed.

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Honorable Jon McCalla
US DISTRICT COURT